



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JAN 28 2004

EPA Region 5 Records Ctr.



285401

REPLY TO THE ATTENTION OF

RRG/Clayton Chemical Co.

PROMPT REPLY NECESSARY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Schlumberger Limited New York
153 East 53rd Street 57th floor
New York , New York 10022

Re: Request for Information Pursuant to Section 104 of CERCLA
for RRG/Clayton Chemical Company Superfund Site, 1 Mobile
Avenue in Sauget, St. Clair County, Illinois

Dear Sir or Madam:

This letter seeks your cooperation in providing information and documents relating to the contamination of the RRG/Clayton Chemical Co. Superfund Site at 1 Mobile Avenue, Sauget, Illinois ("Site"). A Superfund site is a site contaminated with high levels of hazardous substances that may present a threat to human health and/or the environment.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to this Information Request and attached questions (Attachment B) within seven (7) days of your receipt of this letter.

The United States Environmental Protection Agency ("U.S. EPA") is investigating the release or threat of release of hazardous substances, pollutants, or contaminants at the Site. U.S. EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and methods used to dispose of such substances that have been, or threaten to be, released from the Site. U.S. EPA will study the effects of these substances on the environment and public health. In addition, U.S. EPA will identify activities, materials, and parties that contributed to contamination at the Site. U.S. EPA believes that you might have information which may assist the Agency in its investigation of the Site.

The RRG/Clayton Chemical Company Superfund Site (Site or Clayton) is a closed Resource Conservation and Recovery Act (RCRA) facility located in Sauget, IL (St. Clair County). The Site facility processed hazardous substances and other

materials, for the recycling and recovery of primarily used solvents between approximately 1961 and 1998. In 1998, the Clayton facility lost its State of Illinois Permit for RCRA operations. Illinois Environmental Protection Agency (IEPA) records indicate that a number of corporate and other entities were involved with the operation of the Site facility, as Clayton Chemical Co. between 1961 and 1996. Between 1996 and 1998, the facility was operated by a different group of parties under the name Resource Recovery Group (RRG). In 2001, IEPA requested U.S. EPA assistance in cleaning up the Site. According to records of the IEPA, and information developed in the course of U.S. EPA investigation, Parties and Entities with a history of financial or legal operation, ownership or partnership control of the Site included: Clayton Chemical Company, Clayton Chemical Co. Acquisition, LLC, Specialty Waste, Environmental Operations, Inc., RRG, and Clayton Chemical Co.

A preliminary site assessment conducted in June 2001 by U.S. EPA determined that storage and leaking of hazardous liquid materials (and the presence of contaminated soil) at the Site presented an imminent hazard to human health and the environment because of the threat of fire, explosion, and/or other uncontrolled and potentially catastrophic release or threat of release of hazardous substances. Therefore, U.S. EPA is addressing the liquids contamination first, and then the soils contamination as a separate activity at the Site. U.S. EPA used public funds to perform the Site investigation.

Description of Legal Authority

The federal "Superfund" law (the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9601, et seq., commonly referred to as "CERCLA" and "Superfund") gives U.S. EPA the authority to, among other things: (1) assess contaminated sites, (2) determine the threats to human health and the environment posed by each site, and (3) clean up those sites in the order of the relative threats posed by each.

Information Request

Under Section 104(e)(2) of CERCLA, 42 U.S.C. §9604(e)(2), U.S. EPA has broad information gathering authority which allows U.S. EPA to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or

disposed of at a vessel or facility or transported to a vessel or facility.

(B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.

(C) Information relating to the ability of a person to pay for or to perform a cleanup.

While U.S. EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under federal law.

Some of the information U.S. EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish U.S. EPA to treat the information confidentially, you must advise U.S. EPA of that fact by following the procedures outlined in Attachment A, including the requirement for supporting your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted within the time frame noted above.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. §3501 et seq.

Instructions on how to respond to the questions in Attachment B to this document are described in Attachment A. Your response to this Information Request should be mailed to:

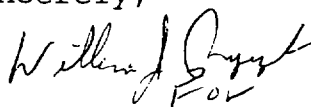
U.S. Environmental Protection Agency
William Ryczek
Emergency Enforcement & Support Section, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

If you have additional questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of cleanup activities, please contact Tom Turner of ORC, or Kevin Turner, OSC at 312/886-6613 or 618/997-0115. However,

if you have specific questions about the Information Request,
please contact Bill Ryczek at 312/886-7184.

We appreciate and look forward to your prompt response to this
Information Request.

Sincerely,

A handwritten signature in cursive script, appearing to read "William D. Messenger".

William D. Messenger, Chief
Emergency Enforcement and Support Section

Enclosures

Attachment A
Information Request
to Small Entities, Partnerships and Individuals

Instructions

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained in this letter, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered non-compliance with this Information Request.
4. Identify Sources of Answer. For each question, identify (see Definitions) all the persons and documents that you relied on in producing your answer.
5. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Request become known or available to you after you respond to this Request, U.S. EPA hereby requests pursuant to Section 104(e) of CERCLA that you supplement your response to U.S. EPA.
6. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Sections 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. §§9504(e)(7)(E) and (F), and Section 3007(b) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6927(b), and 40 C.F.R. §2.203(b).

If you make a claim of confidentiality for any of the information you submit to U.S. EPA, you must prove that claim.

For each document or response you claim confidential, you must separately address the following points:

1. the portions of the information alleged to be entitled to confidential treatment;
2. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
3. measures taken by you to guard against the undesired disclosure of the information to others;
4. the extent to which the information has been disclosed to others; and the precautions taken in connection therewith;
5. pertinent confidentiality determinations, if any, by U.S. EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
6. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents, is in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to U.S. EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by U.S. EPA only to the extent permitted by Section 104(e) of CERCLA. If no such claim accompanies the information when it is received by U.S. EPA, then it may be made available to the public by U.S. EPA without further notice to you.

7. Disclosure to U.S. EPA Contractor. Information which you submit in response to this Information Request may be disclosed by U.S. EPA to authorized representatives of the United States, pursuant to 40 C.F.R. §2.310(h), even if you assert that all or part of it is confidential business information. Please be advised that U.S. EPA may disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) days of receiving this Information Request.

8. Personal Privacy Information. Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

9. Objections to Questions. If you have objections to some or all the questions within the Information Request letter, you are still required to respond to each of the questions.

Definitions

The following definitions shall apply to the following words as they appear in this Information Request.

1. The term "arrangement" means every separate contract or other agreement between two or more persons, whether written or oral.

2. The term "documents" includes any written, recorded, computer-generated, or visually or aurally reproduced material of any kind in any medium in your possession, custody, or control, or known by you to exist, including originals, all prior drafts, and all non-identical copies.

3. The term "hazardous substance" shall have the same definition as that contained in Section 101(14) of CERCLA, and includes any mixtures of such hazardous substances with any other substances, including mixtures of hazardous substances with petroleum products or other nonhazardous substances.

4. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name; (b) present or last

known business and home addresses and telephone numbers; (c) present or last known employer (include full name and address) with title, position or business.

5. With respect to a corporation, partnership, or other business entity (including a sole proprietorship), the term "identify" means to provide its full name, address, and affiliation with the individual and/or company to whom/which this request is addressed.

6. The term "material" or "materials" shall mean any and all objects, goods, substances, or matter of any kind, including but not limited to wastes.

7. The term "person" shall include any individual, firm, unincorporated association, partnership, corporation, trust, or other entity.

8. The term "pollutant or contaminant" shall include, but not be limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations; except that the term "pollutant or contaminant" shall not include petroleum.

9. The term "real estate" shall mean and include, but not be limited to the following: land, buildings, a house, dwelling place, condominium, cooperative apartment, office or commercial building, including those located outside the United States.

10. The term "release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

11. The term "Site" shall mean the RRG/Clayton Chemical Co. Superfund Site located at 1 Mobile Avenue, Sauget, IL (St. Clair County).

12. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including but not limited to containers for temporary or permanent holding of such wastes.

13. The term "you" or "Respondent" shall mean Schlumberger Limited New York. The term "you" also includes any officer, managers, employees, contractors, trustees, successors, assigns, and agents of the above referenced entities and small businesses.

14. Provide any documentation and background history on RRG, Clayton Chemical Acquisition, LLC, Speciality Waste, and the individual partners, members, officers and managing or operating boards of these entities.

Attachment B
Requests

1. Identify all persons consulted in the preparation of the answers to these Information Requests.
2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.
3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.
4. Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors or any other persons at the Site.
5. Identify all persons having knowledge or information about a dedicated storage facility or tank used by you, your contractors, or any other persons at the Site for materials sent by you to the Site.
6. Identify the hazardous substances you or your contractors or any other persons either used, generated, stored, treated, disposed, processed, transported disposed, or otherwise handled at the Site, including:
 - a) The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;
 - b) Who supplied you with such hazardous substances;
 - c) How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;
 - d) When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;
 - e) Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you; and

f) The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

g) Provide any information concerning the hazardous substances supplied or generated by Respondent to the Site for treatment, storage, disposal or transport.

7. Identify all liability insurance policies held by Respondent from the date of your involvement (identified in 6.d above) to the present. In identifying such policies, state the name and address of each insurer and of the insured, the amount of coverage under each policy, the commencement and expiration dates for each policy, whether or not the policy contains a "pollution exclusion" clause, and whether the policy covers or excludes sudden, non-sudden, or both types of accidents. In lieu of providing this information, you may submit complete copies of all relevant insurance policies.

8. Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site or [transshipment Site]. In addition, identify the following:

a) The persons with whom you or such other persons made such arrangements, including, but not limited to a listing of all transporters;

b) Every date on which such arrangements took place;

c) For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;

d) The owner of the waste materials or hazardous substances so accepted or transported;

e) The quantity of the waste materials or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;

f) All tests, analyses, and analytical results concerning the waste materials;

g) The person(s) who selected the Site [or transshipment Site] as the place to which the waste materials or hazardous substances were to be transported;

h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;

i) Where the person identified in g. above intended to have such hazardous substances or waste materials transported and all evidence of this intent;

j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate site prior to final treatment or disposal;

k) What was actually done to the waste materials or hazardous substances once they were brought to the Site;

l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;

m) The measures taken by you to determine the actual methods, means, and site of treatment or disposal of the waste material and hazardous substances involved in each transaction;

n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;

o) The price paid for (i) transport or (ii) disposal of (iii) or both, of each waste material and hazardous substance;

11. Describe the nature of your activities or business at the Site, with respect to purchasing, receiving, processing, storing, treating, disposing, or otherwise handling hazardous substances or materials at the Site.

12. State the dates during which you owned, operated, or leased the Site, and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g., deeds, leases, etc.).

13. Describe and document all financial, business and legal relationships between Clayton Chemical Co., and RRG, Clayton Chemical Co. Acquisition, LLC, Specialty Waste, Environmental

Operations, Inc., and the individual partners, members, officers and managing or operating boards of these entities.

cc: T.Turner, ORC (C-14J)
K. Turner, OSC (SE-5J) or (SE-GI) or (5-SEDO)
John Maritote, EESS (SE-5J)
W. Ryczek, Enf. Spec., EESS (SE-5J)
Denise Battaglia, Public Affairs, (P-19J)
Records Center (SMR-7J)